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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,767	04/09/2004	HC Huang	MR3003-81	8818
4586	7590	10/19/2005	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			NGUYEN, TRUNG Q	
			ART UNIT	PAPER NUMBER
			2829	

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/820,767

Applicant(s)

HUANG, HC

Examiner

Trung Q. Nguyen

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Lowe (U.S. 6,058,253).

Regarding claim 1, Lowe discloses in Fig. 3 a CPU 30; a memory 38 with a predetermined firmware program (see Fig. 4, memory unit 44) via firmware program, memory connected with CPU through memory bus 36, a control chip via chip set logic 32 with USB interface control connected with CPU (see Fig. 3), having ports via system bus 34 for connecting peripheral device(s) 40.

Regarding claims 2-3 and 6-7 Lowe discloses in Fig. 1 a CPU is able to send test packet via test engine to peripheral devices through control chip via logic chip set 32.

Regarding claims 4 and 8, Lowe discloses in column 7, lines 6-26 the process of receiving test packet via test engine 18, peripheral device 40 sends back test packet to

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CPU and determining whether test packet is same as predetermined provided in the memory.

Regarding claim 5, Lowe discloses in Fig. 3 peripheral device is proved with a USB interface, a memory 38 with a predetermined firmware program (see Fig. 4, memory unit 44) via firmware program, memory connected with CPU through memory bus 36, a control chip via chip set logic 32 with USB interface control connected with CPU (see Fig. 3), having ports via system bus 34 for connecting peripheral device(s) 40.

Regarding claim 9, Lowe discloses in Fig. 3 a CPU 30; a memory 38 with a predetermined firmware program (see Fig. 4, memory unit 44) via firmware program, memory connected with CPU through memory bus 36, a control chip via chip set logic 32 with USB interface control connected with CPU (see Fig. 3), having ports via system bus 34 for connecting peripheral device(s) 40, Lowe also discloses in column 7, lines 6-26, test packet via test engine 18, peripheral device 40 sends back test packet to CPU and determining whether test packet is same as predetermined provided in the memory.

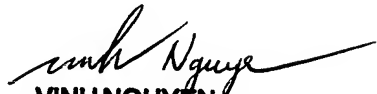
Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Trung Nguyen** whose telephone number is **(571) 272-1966**. The examiner can normally be reached on Monday through Friday, 8:30AM –

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5:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **RAMIREZ NESTOR** can be reached at **(571)-272-2034**.

Trung Nguyen
Patent Examiner
Group Art Unit 2829
October 13, 2005


VINH NGUYEN
PRIMARY EXAMINER
A.u. 2829
10/14/05